

rights," will be ever more heeded by the civil authorities. We urge and look forward to further hopeful signs of positive developments within Cuban society that could lead toward the needed rapprochement between our two countries and reconciliation among all our peoples.

The Holy Father summarized his goal for the visit as offering the "opportunity to strengthen not only the courageous Catholics of that country but also all their fellow citizens in their efforts to achieve a homeland ever more just and united, where all individuals can find their rightful place and see their legitimate aspirations realized." We stand with the Cuban people in their just hopes for full civic, political and religious freedom.

CELEBRATING A CHICAGO LEGEND

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HYDE. Mr. Speaker, one of the few genuine legends of Chicago journalism, Irv Kupcinet, has just completed 55 years of writing one of the most popular columns in the midwest. "Kup" has countless friends in the worlds of entertainment, politics and sports. His entire career has been spent with the Chicago Sun-Times and predecessor newspapers. And on January 18th, the Sun-Times published a warm editorial which I am pleased to share with my colleagues:

KUP A TREASURE

For 55 years, Kup's Column has been a staple of Chicago journalism. And its author, Irv Kupcinet, has been a dean of his profession.

It is not just that he has done what he does for so many years. It is that he has done it with a grace, quality and compassion so often missing from contemporary American culture.

Kup has been a gentleman away from his keyboard as well. Over the years, he has spent his time and money supporting the Weizmann Institute of Science, the Chicago Academy for the Arts, Little City Foundation and the Variety Club, and working on telethons raising money for Easter Seals, muscular dystrophy and cerebral palsy. Last, but certainly not least, he spent an amazing 50 years hosting the Purple Heart Cruise to thank veterans for their service to the country.

And to think this whole, wonderful career happened only because an injury ended his first career as a professional football player.

Football's loss was Our Town's gain. Chicago, and the Sun-Times, are lucky to have you, Kup.

REGARDING COL. WILLIAM VOGEL

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. CALLAHAN. Mr. Speaker, I would like to take a moment to extend my utmost appreciation to Col. William Vogel, district engineer, U.S. Army Corps of Engineers, Mobile District. Colonel Vogel deserves special recognition for the hard work and dedication to his employees demonstrated during the recent reduction in

force executed at the Army Corps of Engineers' Mobile District.

Faced with unfortunate, but unavoidable funding constraints, the Corps was forced to notify 192 employees in June 1997 they would be affected by the impending RIF in October of the same year. Obviously, when this notice was made public by the Corps there was tremendous and justified concern and uneasiness felt on the part of those employees whose names appeared among the 192.

Colonel Vogel led the mission to accomplish the necessary reductions and made every effort to minimize the apprehension and potentially devastating implications to his dedicated and loyal work force. He worked tirelessly to accomplish this goal. Realizing the only way a mutually beneficial agreement could be reached was through the cooperation of the Corps' management and the union, Colonel Vogel met often with union officials in an attempt to minimize the impact on those who would be terminated. Among the many efforts designed to accomplish this goal, local union leaders were invited to attend staff meetings and labor-management meetings were increased to every 2 weeks, therefore opening the lines of communication between the two sides.

The immensely successful program which followed was the direct result of Colonel Vogel's efforts. Several options were made available to the employees who faced termination, ranging from early retirement packages to transfers or pay cuts. A center was established to facilitate job placement for those who chose to leave. The final results in December 1997 were, given the potential alternatives, the best possible in this unfortunate situation. Seventy-nine employees left to pursue other employment opportunities and 113 were to be reassigned. Of the 192 employees affected by the Reduction in Force, none were faced with involuntary separation.

I would like to personally thank Colonel Vogel and his staff for their dedication and commitment to their employees and coworkers. As Congress continues in its efforts to reduce the size of the Federal Government, other Federal agencies facing the same downsizing realities would do wise to study the model and accomplishment put forth by Colonel William Vogel and his staff.

I and everyone else affected by the Corps' reduction in force extend our sincere appreciation for a difficult job well done.

TRIBUTE TO NAVY CAPT. MANUEL A. HIPOL

HON. OWEN B. PICKETT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. PICKETT. Mr. Speaker, I rise to pay tribute to Capt. Manuel A. Hipol of the Navy Medical Corps who is retiring after almost 30 years of loyal and dedicated service to our country.

Born in Manila, Philippines, Captain Hipol launched his medical career at Manila Central University, completing its thoracic medicine residency program at the Philippines Veterans Hospital in 1966. Later that year he immigrated to the United States and settled in Seattle, WA, where he completed a 1-year in-

ternship and then accepted a commission as captain in the U.S. Army.

Like many dedicated, hard working career medical officers, Captain Hipol saw duty in numerous locations including Fort Sam Houston, TX; Fort Sheridan, IL; the Rock Island, IL Arsenal dispensary where he became officer-in-charge; and the Camp McCoy Army Dispensary, Sparta, WI, also serving as officer-in-charge.

Captain Hipol resigned from the U.S. Army in 1974 and almost immediately accepted a commission in the U.S. Navy as a lieutenant commander. His first assignment at the Naval Medical Center, Portsmouth, VA, was in the radiology department of Boone Clinic. He transferred to the reserves and served as commanding officer of the Naval Reserve, Naval Station Branch Clinic 106 in Norfolk. In 1980, he was promoted to the rank of captain.

Captain Hipol was recalled to active duty during Desert Storm and rejoined the reserves after his active duty release. Despite these many transfers and assignments, he remained active in numerous professional and community organizations including: the Association of Philippine Physicians in America; the Manila Central University Medical Alumni Association of America, where he served as national president; the Philippine Cultural Center Building Committee, where he served as chairman; and the Council of United Filipino Organizations of Tidewater, where he also served as chairman.

He has been recognized as 1 of the 20 most outstanding Filipino-Americans in the United States and Canada.

Dr. Hipol will continue his medical practice of outpatient diagnostic radiology in partnership with his wife, Rose, who practices general internal medicine. I join his many friends in wishing Captain Hipol and his family fair winds and following seas.

TRIBUTE TO THE HONORABLE RONALD V. DELLUMS

SPEECH OF

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 3, 1998

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to RON DELLUMS, a friend and a man whose departure from Congress will leave a major void on Capitol Hill. RON is known as an articulate spokesman for his constituents and a serious legislator of proven ability. These attributes alone when combined with his many years of public service are worthy of praise and commendation. But RON brought more to the job that singled him out as a congressional and national leader.

He reached out: across the aisle, across racial boundaries, and across ideological lines. He did it with a sincerity that was heartfelt and a pure motive, and it showed. This was his magic and this was the key to his many friendships and the unusual respect he received during his service and upon his retirement. I know Congress as an institution is a better place for his service. I hope we as individual Members have learned from his example.

CONGRATULATIONS TO BETHESDA-CHEVY CHASE MEALS ON WHEELS

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mrs. MORELLA. Mr. Speaker, it is with great pride that I rise today to recognize the outstanding work done by the Bethesda-Chevy Chase Meals on Wheels. On February 11, the organization will mark the one millionth meal delivered in more than 25 years of continuous service to those in need.

The remarkable commitment displayed by the B-CC program is best exemplified by some of the veterans who have been with the organization since its inception. Alfred Wellborn, Mary Bartels, and Ann-Marie Snyder, all have worked for, and supported, the B-CC Meals on Wheels since the beginning. They are the embodiment of perseverance and dedication.

There are many other unsung heroes of this institution. The burden of cost for deliveries rests on the shoulders of the volunteers, while the Christian Church provides office space for administrative duties. Many other area places of worship contribute by supplying volunteers and organizing routes, such as Chevy Chase Methodist Church, St. Dunstan's Church and St. John's Episcopal Church.

I salute the commitment displayed by these individuals and congratulate them heartily on their achievement. Furthermore, I join the Bethesda-Chevy Chase Meals on Wheels in their celebration of longevity and distinguished performance in service.

THE INTRODUCTION OF H.R. 3136, THE "TRADE DRESS PROTECTION ACT"

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. COBLE. Mr. Speaker, I am pleased to introduce today the "Trade Dress Protection Act." This bill is intended to clarify the law with respect to the applicable legal standards for the protection of trade dress, which includes product designs and packaging.

Several years ago, Mr. Speaker, the Supreme Court, in the case *Two Pesos, Inc. v. Taco Cabana, Inc.*, 505 U.S. 763 (1992), held that trade dress which is inherently distinctive is protectable under federal trademark law without a showing that it has acquired secondary meaning. The Court, however, had no occasion to comment on the test that should be applied in determining whether trade dress is inherently distinctive.

Subsequent to the Court's decision in *Two Pesos*, a number of federal courts of appeals have issued conflicting and confusing opinions regarding the showing necessary to establish if trade dress is inherently distinctive. My bill is intended to provide the courts, as well as the U.S. Patent and Trademark Office, with guidance as to the relevant factors to consider in determining whether or not product designs or packaging are inherently distinctive. It has been drafted in conjunction with the Administration to make the registrability and protection

of trade dress as efficient as possible for both the applicant and the examiner.

The "Trade Dress Protection Act" addresses a number of other issues as well. Under U.S. trademark law, trade dress is not subject to protection if it is functional. However, the Trademark Act does not define the term "functional" and some courts still rely on widely discredited tests; for example, whether the trade dress in issue is an important ingredient to the commercial success of the product. My bill, Mr. Speaker, attempts to define the term "functional" in a manner consistent with prevailing case law and provides the courts and the PTO with a number of factors to consider when engaging in a functionality analysis.

The "Trade Dress Protection Act" also clarifies the law with respect to which party to a lawsuit bears the burden of proof on the issue of functionality. This issue has provoked a sharp split among the federal courts of appeals.

My bill also provides the PTO with a new statutory basis upon which it may refuse to register matter that, as a whole, is functional. The number of applications seeking registration of trade dress has increased markedly over the past few years, and my bill updates the Trademark Act to provide the PTO with the statutory tools necessary for it to carry out its mission.

Finally, my bill contains a number of technical amendments to the Trademark Act to correct drafting and other errors.

Due to the importance of the issues raised by this bill, the House Subcommittee on Courts and Intellectual Property, which I chair, will hold a hearing on the measure on February 12. My colleagues and I look forward to hearing the testimony of the scheduled witnesses and to advancing this legislation this session.

PRESIDENT LEE TENG-HUI CELEBRATES TEN YEARS IN OFFICE

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. HINCHEY. Mr. Speaker, President Lee Teng-hui of the Republic of China assumed the office of the Presidency on January 13th, 1988, upon the sudden death of President Chiang Ching-kuo. On March 21st, 1990, Lee was elected in his own right by the National Assembly as eighth President of the Republic of China. On March 23rd, 1996, Lee won a landslide victory in the first direct presidential election in the history of China. President Lee was sworn in as the ninth President of the Republic of China on May 20, 1996.

In the past ten years, Taiwan has made remarkable progress in moving toward full-fledged democracy. Vigorous opposition parties compete in regular, fair, frequent elections, allowing Taiwan citizens an opportunity to determine the future of their nation. In fact, Taiwan has succeeded in developing full democratic representation at all levels of government throughout the island.

The right and responsibility to choose political representatives through the ballot box is guaranteed in the Republic of China Constitution. Taiwan's political leaders, from the lowest administrative officer to the highest office holder, must be accountable to the people.

The people of Taiwan will decide Taiwan's future with mainland China. The 21 million people in Taiwan have rejected the so-called "one country, two systems" approach advocated by the government on the mainland. In order for meaningful dialogue to begin between Taipei and Peking, President Lee Teng-hui has made it very clear that the two sides must first narrow the enormous differences between the standards of living and political systems.

On the matter of economic cooperation between the two sides, President Lee Teng-hui on January 7th explained Taiwan's "no haste, be patient" policy on investment in mainland China by saying that the policy is aimed at protecting Taiwan's entrepreneurs and Taiwan's overall interests.

In addition to advocating economic caution in dealings with mainland China, President Lee has repeatedly said that Taiwan, like all sovereign nations, must be given a place in the international community. Since mainland China has never stopped trying to have Taipei expelled from the world village, Taiwan must promote its "pragmatic diplomacy" more actively.

There is no question that Taiwan faces many challenges in the world. But Taiwan stands tall and firm as a beacon of freedom in the Far East. In addition, I would like to express admiration for Taiwan and President Lee Teng-hui for their skill in economic management. While other countries in Asia are suffering from plunging currency values, Taiwan has remained secure and stable.

In large measure, that is because of Taiwan's careful banking practices, and high foreign reserves. The Washington Post reports that Taiwan has been so confident of its fiscal management that it is prepared to use its vast financial resources to aid its Southeast Asian neighbors. As an indication of Taiwan's willingness to offer help to its troubled neighbors, high-level delegations, composed of government officials and business leaders, have been visiting the Philippines, Indonesia, Thailand, and Singapore.

Taiwan is a good neighbor in Asia and a responsible member of the international community.

On the occasion of President Lee's ten years in office, I wish him and his country much good fortune in the months and years ahead.

May the year of the Tiger be a good one for all my friends in Taiwan.

THE FEDERAL EMPLOYEES HEALTH CARE FREEDOM OF CHOICE ACT

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 5, 1998

Mr. BURTON of Indiana, Mr. Speaker, I am pleased to join my colleague Congressman ARCHER in introducing today the Federal Employees Health Care Freedom of Choice Act. This is significant legislation because it will allow Federal employees the option to choose a Medicare savings account combined with a high deductible catastrophic policy under the Federal Employee Health Benefit [FEHB] Program. We believe that it is important that Federal employees have the same option that is